

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NATASHA NANDALALL,	x	
Plaintiff,	x	07 Civ. 6257 (DASB)
-against-	x	NOTICE OF MOTION FOR RELIEF FROM COURT'S MAY 1, 2008 ORDER DISMISSING JUAN GONZALEZ WITHOUT PREJUDICE FOR FOR FAILURE PROSECUTE
THE CITY OF NEW YORK and POLICE OFFICER JUAN GONZALEZ, Shield Number 274458	x	
Defendants.	x	

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PLEASE TAKE NOTICE, that upon the annexed Affirmation of Jonathan C. Moore, Esq., attorney for the plaintiff, dated the 7th of May, 2008, the annexed affidavit of Janice Badalutz, the annexed Memorandum of Law, and upon all the pleadings and proceedings heretofore had herein, plaintiff will move this Honorable Court, before the Honorable Deborah A. Batts, United States District Judge, presiding at the United States District Courthouse located at 500 Pearl Street, New York, New York, 10007, on the 16th of May, 2008, or as soon thereafter as counsel can be heard, for an order setting aside this Court's Order of May 1, 2008, dismissing the Complaint against Defendant Juan Gonzalez for failure to prosecute.

Dated: New York, New York
May 8, 2008


JONATHAN C. MOORE (JM - 6902)
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One of the Attorneys for the Plaintiffs

TO: Hillary A. Frommer, Esq.
Assistant Corporation Counsel
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Attorney for the Defendant City of New York

Juan Gonzalez
Defendant
77th Precinct
127 Utica Avenue
Brooklyn, New York 11213

CERTIFICATE OR SERVICE

I, JONATHAN C. MOORE, an attorney, do hereby swear and affirm that I caused a copy of Plaintiffs' Notice of Motion with accompanying affirmation and affidavit, and Memorandum of Law to be served on counsel for the Defendant City of New York, Hillary A. Frommer, Assistant Corporation Counsel, New York City Department of Law, 100 Church Street, New York, New York, 10007, by facsimile and by e-mail on May 8, 2008 and on Defendant Juan Gonzalez by serving his last known address, also on May 8, 2008.



ATTORNEY